

Bankruptcy Information

The following are sources of bankruptcy case information; do not contact Judge Brown's chambers or case manager for information available from these sources:

Copies of orders, pleadings, and docket sheets - contact the copy service 713-236-0903. **Additional help** - contact Vanna Hulsey, operations manager for files, intake, and appeals, at 713-250-5530.

Tapes or transcripts of hearings - contact the Electronic Recorder Operators at 713-250-5404.

Discharge orders - contact 713-250-5156.

General questions about bankruptcy filings, docket entries, and the entry of orders - contact the Bankruptcy and District Clerk's Office at 713-250-5115. **Additional help** - contact Nathan Ochsner, operations manager for docketing, claims, and closing, at 713-250-5146.

Docket sheet and case file - may be reviewed at Bankruptcy Intake, 1st floor, 515 Rusk, 713-250-5150. **Additional help** - contact Vanna Hulsey, operations manager for files, intake, and appeals, at 713-250-5530.

Hearing settings - may be verified by reviewing the docket sheet and Judge Brown's court calendar at <http://www.txs.uscourts.gov/judges/kkb/home.htm>.

Local rules, general orders, etc. - may be obtained from the Court's website at <http://www.txs.uscourts.gov> .

Judge Brown's Procedures

Continuances:

A request for continuance must be in writing and must be filed prior to the hearing with a copy delivered to chambers. Unless Judge Brown authorizes a continuance in advance of the hearing, the matter will be called on the date and time set.

Settlements:

If a matter set for hearing has been settled, counsel must appear at the hearing and announce the details of the settlement or submit an agreed order when the case is called in court containing the terms of the settlement signed by all of the parties in interest. As soon as settlement is reached, counsel should notify the case manager of the settlement to allow for efficient management of court time and courtroom personnel. Where applicable, a motion to compromise controversy shall be timely filed and noticed within ten days after the hearing at which settlement was announced.

In adversary proceedings, if a final judgment has not been submitted within one month after an order approving compromise of controversy has been entered, the court will issue a show cause for dismissal of the adversary proceeding.

Correspondence:

Do not request action on any case matter or attempt to inform the Court of case issues by letter. Any requests or information concerning cases must be set out in a pleading filed with Intake and served on all parties as required by local and federal rules.

Discovery:

Motions to quash discovery and to compel discovery may be considered by Judge Brown on an emergency basis with or without a hearing or in some cases by telephone conference. For those matters suited to disposition by telephone conference, Judge Brown's secretary will contact the moving party.

Motions to extend discovery deadlines shall be filed no later than 20 days prior to the deadline sought to be extended unless an emergency is shown.

Appearances:

An attorney appearing at a hearing shall be familiar with the case, have authority to bind the client, and be in charge of the case for that appearance.

Hearing attendance by telephone:

Attendance at hearings set on complex chapter 11 cases may be made via the “meet-me-line.” Parties may call the meet-me-line, 713-313-2787, with or without advance notice to the Court. The line is called by the Court for every complex chapter 11 case hearing. Attendance at any other hearing via the meet-me-line must be approved in advance by Judge Brown and arranged with the courtroom deputy. Without Judge Brown’s approval and arrangements with the courtroom deputy, the meet-me-line will not be accessed by the Court at the time the hearing is called in the courtroom. Parties who choose to participate in a hearing via the meet-me-line do so at the risk of technological failure; the hearing will proceed regardless of such failure. Telephone participation is a privilege which either counsel or a party may forfeit by discourteous conduct.

Emergency matters:

Emergency matters are considered only on written motion. Courtesy copies of emergency pleadings must be delivered to chambers. Settings of emergency hearings are done in the manner described below for all hearings set by Judge Brown’s case manager.

Hearing settings:

Do not contact the case manager for hearing settings unless directed to do so by Judge Brown. Hearings are set only if Judge Brown believes a hearing is necessary based on the filed pleadings of the parties. In the event a hearing is set, Judge Brown’s case manager will contact the moving party who shall then notify all parties in interest of the setting and file a certificate of service. All settings are shown on Judge Brown’s calendar at <http://www.txs.uscourts.gov/judges/kkb/kkb2weeksch.htm> and on the case docket sheet. Go to the Complex Chapter 11 Information link for instructions on setting complex chapter 11 case hearings.

Self-calendared hearings:

Attorneys shall set hearings for motions for relief from stay, objections to claims, fee applications, and initial status hearings in adversary proceedings in accordance with the procedures listed below. Display your selected hearing date prominently on the first page of the pleading. **SEND NOTICE OF YOUR SELECTED HEARING DATE TO JUDGE BROWN'S CASE MANAGER, MAUREEN BRYAN, IDENTIFYING THE CASE NUMBER, THE PARTIES, THE MATTER SET, AND THE SELECTED HEARING DATE.**

Motions for Relief From Stay:

All 362 preliminary hearings are held on Wednesdays at 9:00 a.m. in Courtroom 10A, 515 Rusk, Houston, TX 77002. Select your preliminary hearing date from the chart displayed on Judge Brown's [webpage](#).

You must send a copy of your motion and notice of this hearing date, time, and location to all entities required in Bankruptcy Local Rule 4001 within 24 hours of the filing of your motion and file a certificate of service. The notice of hearing and the certificate of service may be contained in the body of your motion in lieu of utilizing BLR Appendix G and H (the "bluesheet", local form 5). The thirty day limit of section 362(e) begins to run only when the motion is filed and served in accordance with this rule.

Responses to motions for relief from stay must be filed no later than 5 days prior to the hearing date and must identify (1) the grounds for opposition to the motion; (2) your interest in the property; (3) the provable value of the property and equity after deduction of all encumbrances.

Failure of movant to appear at the preliminary or final hearing is grounds for dismissal of the motion. Agreed orders, default orders, or orders withdrawing the motion must be submitted in court when the hearing is called.

Evidentiary hearings on motions called at the preliminary hearing docket will be heard beginning at 10:00 a.m. the day of the preliminary hearing. Parties must exchange exhibits and a witness list at least 2 working days prior to the hearing. Contact Judge Brown's case manager if your hearing will require more than 1 hour.

Objections to Claims

All initial hearings on claim objections are held beginning at 2:00 p.m. in Courtroom 10A, 515 Rusk, Houston, TX 77002. Select your initial hearing date from the chart displayed on Judge Brown's [webpage](#).

You must send a copy of your objection and notice of this hearing date,

time, and location to the claimant, the debtor, debtor's attorney and the trustee at least 30 days prior to the hearing and file a certificate of service.

Responses must be filed and served on the objecting entity no later than 5 working days prior to the initial hearing.

Failure of either party to appear in prosecution or defense of the objection is grounds for summary disposition of the objection. Agreed orders must be submitted in court when the hearing is called. Evidentiary hearings will be scheduled by the Court when the initial hearing is called. Exhibits and a witness list must be exchanged at least 2 working days prior to the evidentiary hearing date.

Adversary Proceedings, Initial Status Hearing

All initial status hearings for adversary proceedings are held beginning at 9:30 a.m. in Courtroom 10A, 515 Rusk, Houston, TX 77002. Select your preliminary hearing date from the chart displayed on Judge Brown's [webpage](#).

You must send notice of this initial status hearing to all parties served with a complaint and summons no later than 20 days prior to the initial status hearing and file a certificate of service. Failure to send notice of this hearing is grounds for dismissal of your adversary proceeding for want of prosecution.

Fee Applications

All fee applications are heard beginning at 9:30 a.m. in Courtroom 10A, 515 Rusk, Houston, TX 77002. Select your fee application hearing date from the chart displayed on Judge Brown's [webpage](#).

You should not set a hearing on your fee application if your total fees are under \$3,000.00, unless you are instructed to do so by Judge Brown's case manager. Judge Brown may consider such applications without a hearing.

You must send notice of your fee application and, if applicable, the hearing, date, time and location to debtor, debtor's counsel, the trustee, all creditors, and indenture trustees at least 20 days prior to the hearing date or within 24 hours of filing your fee application if no hearing is set and file a certificate of service.

You must include as the first page of your fee application the following information:

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:

DEBTOR(S)

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§
§
§
§

CASE NO.

FEE APPLICATION COVER SHEET

Name of Applicant:

Authorized to Provide Professional Service to:

Date Order of Appointment signed:

Date Rule 2016(b) statement filed:

Period for which Compensation
and Reimbursement is sought:

Total Professional Service Fees Sought:

Total Hours expended:

Professional rates: high:

low:

Staff rates: high:

low:

Blended hourly rate sought:

Total Expenses sought:

Retainer amount:

Previous applications amounts:

Interim compensation received:

This is an: interim application:

final application: